

# SENATE RECORD VOTE ANALYSIS

105th Congress  
2nd Session

Vote No. 312

October 9, 1998, 3:46 p.m.  
Page S-12131 Temp. Record

## TREASURY APPROPRIATIONS/Conference (Contraceptives-Abortifacients)

**SUBJECT:** Conference report to accompany the Treasury, Postal Service, and General Government Appropriations Bill for fiscal year 1999 . . . H.R. 4104. Lott motion to proceed.

### ACTION: MOTION TO PROCEED AGREED TO, 58-39

**SYNOPSIS:** The conference report to accompany H.R. 4104, the Treasury, Postal Service, and General Government Appropriations Bill for fiscal year 1999, will provide \$26.882 billion in new budget authority (BA) for the Department of the Treasury, Postal Service, Executive Office of the President, and various independent agencies. This amount is \$1.389 billion more than provided in fiscal year (FY) 1998.

Senator Lott moved to proceed to the conference report. A motion to proceed to a conference report is not a debatable motion. Senator Reid objected to the pro forma request to dispense with the reading of the conference report. Other Democratic Senators then joined in making repeated objections to further requests to dispense with the reading of the report. After the report was read, several Senators stated that they had required the conference report to be read to express their displeasure with the fact that a Senate amendment was dropped by conferees. That amendment would have mandated that Federal Employee Health Benefit (FEHB) plans provide contraceptives. It was controversial for two main reasons. First, its language was vague as to whether a health plan would be required to cover "all" forms of contraceptives. Initially, the amendment had stated that "all" must be covered; as the provision passed the Senate, the word "all" was stricken, which effectively would have left the decision up to the Office of Personnel Management (OPM) as to the scope of the coverage that would have to be provided. OPM could have ordered plans to provide so-called contraceptives that primarily acted as abortifacients rather than contraceptives, such as the interuterine device (IUD). Second, the conscience-clause exemption applied only to religion-based plans, which would have been the first time that a Federal law was passed that said that only organized religions could have moral objections to a Federal policy. Many Members in both Houses had made clear that next year they would attempt to apply this mandate to every health plan in the country. Groups such as the Christian Coalition, Concerned Women of America, and National Right to Life could then have been required to provide health plans that

(See other side)

YEAS (58)			NAYS (39)			NOT VOTING (3)	
Republicans (54 or 98%)	Democrats (4 or 10%)		Republicans (1 or 2%)	Democrats (38 or 90%)		Republicans (0)	Democrats (3)
Abraham	Helms	Byrd	Snowe	Akaka	Kennedy		Glenn- <sup>2</sup>
Allard	Hutchinson	Ford		Baucus	Kerrey		Hollings- <sup>2</sup>
Ashcroft	Hutchison	Graham		Biden	Kerry		Wellstone- <sup>2AN</sup>
Bennett	Inhofe	Kohl		Bingaman	Landrieu		
Bond	Jeffords			Boxer	Lautenberg		
Brownback	Kempthorne			Breaux	Leahy		
Burns	Kyl			Bryan	Levin		
Campbell	Lott			Bumpers	Lieberman		
Chafee	Lugar			Cleland	Mikulski		
Coats	Mack			Conrad	Moseley-Braun		
Cochran	McCain			Daschle	Moynihan		
Collins	McConnell			Dodd	Murray		
Coverdell	Murkowski			Dorgan	Reed		
Craig	Nickles			Durbin	Reid		
D'Amato	Roberts			Feingold	Robb		
DeWine	Roth			Feinstein	Rockefeller		
Domenici	Santorum			Harkin	Sarbanes		
Enzi	Sessions			Inouye	Torricelli		
Faircloth	Shelby			Johnson	Wyden		
Frist	Smith, Bob						
Gorton	Smith, Gordon						
Gramm	Specter						
Grams	Stevens						
Grassley	Thomas						
Gregg	Thompson						
Hagel	Thurmond						
Hatch	Warner						

#### EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

#### SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

paid for all contraceptive and abortifacient devices and drugs. Potentially, Catholic lay organizations and similar organizations with a moral basis but not directly connected to a religion's hierarchy could also be forced to pay for contraceptive and abortifacient devices and drugs. Certain conferees strongly objected to any proposals to amend these two controversial parts of the Senate amendment. The amendment was then removed. After the Senate agreed to the motion to proceed, Senator Reid made clear that it was his intention to filibuster the conference report.

**A motion to proceed to a conference report is not debatable.**